

Office of Professional Regulation
Real Estate Commission
Corner of State and Main in the City Center
89 Main Street
3rd Floor
Montpelier, VT 05602

Minutes
December 18, 2014 – 9:15 AM

Commission Members and Staff Present: Mark Thibeault, Claire Porter, Gloria Rice, Maretta Hostetler, Michelle Gosselin, David Raphael and Colin Benjamin, Judith Griffen **Absent:** Joyce Cameron **Public members Present:** Dennis Brown, Randy Mayhew, Helen Hossley, Donna Cusson, Stephen Bousquet, Nicole Senecal and Teresa Merelman

1. 8:30 Education Committee

2. 9:15 Commission Meeting - Call to Order at 9:21 a.m.

After calling the meeting to order David Raphael announced that Brian Leven, the Deputy Secretary of State has decided to leave the office. Chris Winters, Director of OPR, will be the new Deputy Secretary. Colin Benjamin will take Chris's position as Director of OPR and the office is looking to fill Colin's staff attorney position.

Raphael informed the Commission that Vermont Realtors' President, Donna Cusson, sent in a letter of support for the proposed changes regarding designated agency. Cusson noted that the board's vote of support was unanimous.

3. 9:15 Approved November 20, 2014 minutes

4. 9:20 Case Manager's Report

There are seventy-one (71) open cases at this time. Six (6) have been recommended for closing, eleven (11) are pending I-Team meetings, eight (8) are on hold, twenty-two (22) are under investigation, fifteen (15) are pending charges, seven (7) are pending hearings and two (2) are in the intake process.

Number of Active Licensees as of December 9, 2014

Brokers:	1013
Salespersons:	1040
Brokerage Firms - Main Offices:	549
Brokerage Firms - Branch Offices:	75

5. 9:30 Disciplinary Actions – Hearings/Dismissals/Stipulations:

- a. 2014-363 & 2014-589 – Default Hearing – Harsch Properties Inc. & Paul Harsch III
- b. 2014-362 – Default Hearing – Carolyn Umlauf

A motion was made and seconded to set aside the default hearings until they can be set for hearing at the next available meeting. The motion carried with one abstention.

6. 10:30 Closing Reports:

- a. The Commission voted 5-0, with one abstention, to accept 2014-198, 2014-199
- b. The Commission voted 5-0, with one abstention, to accept 2014-479
- c. The Commission voted 5-0, with one abstention, to accept 2014-76 and 2014-77

7. 10:30 Old Business:

a. Agency Workgroup update

Raphael updated the Commission that at the last Workgroup meeting the members reviewed the written and oral comments and have been revising language based on feedback received. That work continues.

b. Inspectors and sign/advertising violations

The Commission reviewed a draft letter by Attorney Gilman intended for inspectors to use when addressing sign and advertising violations. After a brief discussion, a motion was made and seconded to approve the use of the letter in addressing the sign and advertising rules violations. The motion carried.

c. 2014 Calendar, Initiatives, and Priorities

- Agency changes and corresponding statute/rule changes
- Creation of a ticket process for minor administrative rule violations

The Commission discussed the progress of these last two initiatives, noting that work will continue into 2015 in these areas.

d. 2015 Calendar, Initiatives, and Priorities

The Commission was provided with a "draft" copy of the results from the November strategic planning session. It was noted that work needed to be done to pare down the list, determine which initiatives required staff resources, and get agreement on priorities. This work will begin in January 2015.

8. 10:45 New Business:

a. OPR Board Member Retreat

A copy of the e-mail that Judith sent to Commissioners outlining the January 23 retreat was provided in the packet. Members were reminded to send in their RSVP for attendance.

b. AMP Licensing Testing

The Commission was informed that AMP may be increasing their testing fee to applicants from \$110 to \$115. Commissioner Gosselin requested that we check-in with AMP to get data on pass rates, number of exams administered, and analysis on questions and where applicants might be struggling.

c. 2015 Meeting Dates

A copy of the 2015 meeting dates and calendar was provided to the Commission in their packet. Those present agreed that the current start time would work for 2015 as well.

d. Director Winters

Director Winters addressed the Commission to pay special tribute to two-term member Maretta Hostetler who is coming off the Commission at the end of December and is not eligible for reappointment. He read a letter from Governor Shumlin and presented a plaque from Secretary of State Condos. The Commission presented Hostetler with a card and gift from members, including staff and Workgroup members. Several Commissioners applauded Hostetler's commitment and stewardship and noted that she would be greatly missed.

9. Public Comment

Randy Mayhew praised Hostetler's service over the years and noted that she would be missed.

10. Adjournment

Next Scheduled Meeting – January 22, 2015

The "Agency Workgroup" held its meeting on December 18, 2014 following the full Commission meeting.

Real Estate Education Committee

Courses for review

Provider/Title	Requested # of Hours	Renewal?	Approved	Approved # of Hours	Denied	Comments
McKissock						
1. How to Work with Real Estate Investors – Part 2	3	No	Yes	2		
2. Niche Marketing: Narrow Your Focus	3	No	No	0		
3. How is the Legalization of Marijuana Affecting the Real Estate Market	3	No	Yes	2		
4. How to Work with Real Estate Investors – Part 1	3	No	Yes	2		
5. Real Estate Safety Protect Yourself During a Showing	3	No	Yes	2		
6. Short Sales and Foreclosures	3	No	Yes	3		
7. It's High Tide You Got the Facts About Homeowner's Flood Insurance	3	No	Yes	3		
The CE Shop						
8. Real Estate Investors and Your Business	2	No	Yes	2		
Individual request – David Jamieson						
9. AIV Environmental and Regulatory Seminar	7	No	Yes	4		
Mckissock						
10. Navigating a Hot Seller's Market	4	No	Yes	2		
Vermont Realtors						
11. 2014-2016 Renewal Cycle Mandatory Course	4	No	Yes	4		Approved under the condition that #5 in the outline be added.
The CE Shop						
12. Discovering Commercial Real Estate	3	No	Yes	3		
Vermont Realtors						
13. Professional Standards	8	Yes	Yes	4		Also approved for 2 hours of Post-licensure
Discussion Item:						
The CE Shop: Uncle Sam has Homes for Sale: Listing and Selling HUD Homes						All materials will need to be resubmitted for reconsideration.